THE UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

CHICAGO MERCANTILE EXCHANGE INC. and BOARD OF TRADE OF THE CITY OF CHICAGO, INC.,)))
Plaintiffs / Counterclaim Defendants,) Case No. 1:09-cv-3895
v.)) Judge Ruben Castillo
TECHNOLOGY RESEARCH GROUP, LLC,) Judge Ruben Castino
Defendant / Counterclaim Plaintiff,)
v.)
CME GROUP INC.)
Counterclaim Defendant.)
)

CME'S MOTION TO EXCLUDE THE OPINION OF RUSSELL W. MANGUM III, PH.D.

Plaintiffs-Counterclaim Defendants Chicago Mercantile Exchange, Inc. ("CMEI") and Board Of Trade Of The City Of Chicago, Inc. ("CBOT") and Counterclaim Defendant CME Group Inc. ("CMEG," collectively "CME") respectfully move to exclude the opinion of Russell W. Mangum III, Ph.D., Defendant-Counterclaim Plaintiff Technology Research Group, LLC's (TRG's) damages expert, under *Daubert v. Merrell Dow Pharmaceuticals, Inc.*, 509 U.S. 579 (1993), and Federal Rule of Evidence 702.

Filed herewith in support of this Motion are a Memorandum of Law, an Index of Exhibits, and Exhibits A-B. This Motion is also based on the pleadings previously filed in this matter as well as other oral and documentary evidence presented before or at the hearing on this Motion.

Pursuant to this Court's Case Management Procedures For Motion Practice, prior to filing this Motion, CME served TRG with a concise letter summarizing the legal and factual

grounds for the Motion, with references to supporting authorities, and made a sincere effort to resolve issues relating to the Motion.

WHEREFORE, CME respectfully requests that the Court grant CME's MOTION TO EXCLUDE THE OPINION OF RUSSELL W. MANGUM III, PH.D.

Dated: March 18, 2011 Respectfully submitted,

/s/ Jonathan D. Baker_____

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Attorneys for Chicago Mercantile Exchange Inc., Board of Trade of the City of Chicago, Inc., and CME Group Inc.

CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that, on March 18, 2011, he caused true and correct copies of the foregoing document to be served upon counsel for Technology Research Group, LLC, via CM/ECF.

/s/ Jonathan D. Baker

Jonathan D. Baker Attorney for Chicago Mercantile Exchange Inc., Board of Trade of the City of Chicago, Inc., and CME Group Inc.